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ABSTRACT

Public school choice is an area of educational reform that has received attention from state and federal policymakers. Common applications of choice programs include alternative schools; open enrollment/intradistrict choice; and statewide/interdistrict choice. The following areas in public school choice are covered in this report: perceived benefits; current models of choice initiatives; successful program characteristics; national initiatives; and policy considerations. Appendices include Kansas school choice programs and Kansas statutes. (21 references) (LMI)

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PUBLIC SCHOOLING OPTIONS

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EXECUTIVE SUMMARY

One method for education reform that has received the attention of State and Federal policymakers within the last several years is public school choice. Also, choice among public schools has received the endorsement of President Bush, Secretary of Education Cavazos, the nation's governors, and the general public.

This report is an attempt to present an overview of public school choice by examining the following areas: perceived benefits and concerns in allowing families a choice among public schools, responses of other states to public school choice, national initiatives toward public school choice options, and policy considerations regarding public school choice.

The vast potential for public school choice as a way to restructure Kansas schools for expanding options for all students, to improve schools, and to increase learning opportunities makes it essential that interested parties review all aspects of public school choice plans before embarking on a particular plan. Allowing families to select among various public schools will alter our approach to education and have far reaching effects for students, teachers, school districts, and administrators.

Hopefully, this report will contribute to a greater understanding of the various aspects of public school choice options, stimulate thought, and generate additional ideas to ensure that Kansas leaders concerned with education determine the most effective access to quality programs for Kansans.

Lee Droegemueller
Commissioner of Education

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INTRODUCTION

Most parents of school-age children across the state of Kansas suffer the same plight if their school districts do not meet the needs of their children -- they pay for private schooling, change their residence, or some even teach their own children at home. However, there are other options available to meet the needs of students who learn differently and parents who want more voice in the manner in which their children are educated. These options are under the umbrella of an educational reform movement called **public school choice.** Although there is not a single model for the concept of public school choice, in the broadest sense choice entitles the parents, families, or students to determine where an individual will receive educational services. The following categories demonstrate some common applications of choice programs:

* Alternative schools: These schools or programs are usually offered by an individual district. Only those students who live within the geographic borders of the district are ordinarily eligible to enroll. In addition, it is common for a district to establish a criterion or priority that must be met prior to enrollment. Examples of alternative programs include the following:

    1. Honors academies (advanced placement)
    2. Night schools
    3. Schools within schools
    4. Second-chance programs (for students who have problems succeeding in a traditional school setting)
    5. Magnet schools (schools with particular curricular focus)
    6. Vocational training programs or schools.

* Open enrollment/Intradistrict choice: Some school districts with multiple attendance centers allow parents to choose the school a student attends. Often these options were developed to accommodate a desegregation initiative. Usually only students within a district are allowed to enroll. Many restrictions may apply to ensure appropriate class size, facility capacity, or racial mix.

* Statewide choice/Interdistrict choice: A few states have instituted programs that allow students to enroll in any public school regardless of geographic location. Where such programs exist, some restrictions do apply at elementary and secondary levels; for example, the receiving and/or sending district must agree to the transfer or change. Funding ordinarily follows the student. In those states that have programs that allow secondary students to enroll in postsecondary programs, there are fewer restrictions; and funding follows the student.

Even though the topic of educational choice is not new, it is once again gaining the attention of political and educational leaders because parents are demanding a range of educational alternatives from their school districts at an increasing rate. Today's parents are more educated and less tolerant of systems that stifle diverse interests. Parents want more than the remedial and dropout programs that were developed with the choice programs in the 1960s and 1970s.

When a national Gallup poll in 1986 asked, "Do you wish you had the right to choose which public schools your children attend in this community?" 68 percent of the respondents answered yes, and 25 percent said no. When the national Gallup polls in 1987 and 1989 asked, "Do you think that parents in this community should or should not have the right to choose which local schools their children attend?" 71 percent of respondents polled in 1987 and 1989 answered yes, and 20 percent said no (Gallup, 1986, 1987, 1989).

Edward Fiske of *The New York Times* probably best described the growing national consensus on the value of expanding public school choice initiatives when he said, "Liberals and conservatives are backing the same policies on broader scales for widely different reasons . . . Conservatives have always liked (choice) schemes and magnet schools because they promote competition between schools. Now liberals are joining the bandwagon as a way of giving the poor what the wealthy already have."

BENEFITS

Proponents of public school choice are excited about the benefits public choice brings to education. Characteristics that make successful public choice programs are as follows:

PARENTAL

* Parents have a voice in determining their children's education through selection and involvement in policy making and curricular decisions.
* Urban and rural working parents have the opportunity to enroll their children in schools closer to their work sites or to their children's after-school care providers.

STUDENT

* High risk students have a greater opportunity to succeed because they have more school options. They tend to score higher on achievement tests and dropout less frequently.
* Students have a greater commitment to an educational system they select. They have improved attendance, better grades, and a more positive attitude. Secondary students have the opportunity to enroll in courses in colleges, universities, and vocational-technical schools.
* Students can benefit from learning opportunities offered at another school or in another district, i.e., an intensive science or math curriculum, unusual foreign languages, open classrooms, or magnet schools.

TEACHER

* The teacher's role as an academic leader is expanded. Teachers design curricula, set schedules, and select textbooks with the support of administrators, school boards, and parents.
* Teachers are essential to designing the innovative, diverse programs choice is intended to provide.

SCHOOL

* Public schools of choice understand that children learn differently and parents want options in the way their children are educated.
* School districts are forced to evaluate their programs to decide how they can best meet the needs of the people they serve -- thus districts are aware of the quality of their schools.
* Competition encourages excellence. Inferior schools will either improve or go out of business.
* Schools can provide an entrepreneurial approach to delivery of services: developing a product they believe in, for which they think there is a market.

FINANCIAL

* The rising cost of education is controlled by using resources the State already owns in a flexible manner.
* Competition can provide the incentive for school districts to collaborate on program offerings.
* Elementary enrollment can be controlled and balanced with choice schools.

CONCERNS

Critics of public school choice warn that there also are common problems to be found in states operating choice programs. But in some instances the problems are perceived rather than real. Opponents of public school choice cite the following problems:

PARENTAL

* Methods are not in place to help parents make sound educational choices for their children. Parents have difficulty in allotting the time and energy to participate in the choice process because of work and family commitments.
* Parents sending children to a school in another district do not vote in that district on issues affecting their children.

STUDENT

* Choice is not an option for many families. Individuals' income levels, geographic locations, or transportation limitations will restrict choice as an option for students. Inner city and poor students are unable to participate if transportation to a school site is not available. Thus choice will promote racial and socioeconomic segregation.
* Some students will transfer for nonacademic reasons, i.e., to participate in successful athletic programs or to follow friends.

TEACHER

* Some teachers fear job instability and erratic school budgets if enrollments fluctuate.

SCHOOL

* Small districts fear losing students to larger adjacent districts with more resources. The school no longer may be the center of local activities for a community.
* States allowing eleventh and twelfth graders to take college courses force high schools to compete with postsecondary institutions along with other high schools in the district or region or state.
* Administrators can be overwhelmed with the logistics of coordinating student choice, transportation, and school budgets.

FINANCIAL

* Transportation costs and scheduling problems increase with both intradistrict and interdistrict choice plans.
* Specialized choice programs such as academies of math and science may require additional funds for equipment and teacher retraining.
* Resources from sending schools could be drained. The best and the brightest students could opt to transfer and take State funding with them. The sending schools would be left with the harder, more costly to educate students, dwindling financial resources, fewer teachers, and fewer educational opportunities.

CURRENT MODELS OF CHOICE INITIATIVES

At least forty-six states have some variation of choice programs at the local level. Nearly half of the state governments in the nation are implementing or considering choice plans. Most states allow choice options only among public schools. Some also include options for secondary students to attend postsecondary institutions for high school and/or college credit. Other states offer programs for specific at-risk groups such as dropouts and pregnant teens. Some choice plans allow only intradistrict transfers and others allow intradistrict and interdistrict.

Minnesota perhaps has pursued public school choice initiatives with the most fervor and legislated the broadest school choice program to date. In Minnesota parents are allowed to choose their elementary and secondary children's public schools from any district in the state. Districts cannot prevent students from transferring unless court-ordered racial balance would be disrupted. However, districts may prevent students from attending if space is not available. Minnesota reimburses receiving school districts and provides transportation for low-income students. Currently district participation in the choice program is voluntary. However, by the 1990-1991 school year, all districts must participate.

Minnesota also has a High School Graduation Incentive Program which permits students between the ages of 12-18 considered at risk to earn a high school diploma. Students may select a state-approved public school, private school, public alternative education program, area learning center, college, or technical school under Minnesota's Postsecondary Enrollment Options Program. In this State-funded program, eleventh and twelfth grade students can attend a college or technical school full-time or part-time to earn a high school diploma. Credit earned is applied to both the high school and postsecondary diploma.

Although there currently is no legislative action in Kansas to mandate school choice, Appendix A of this document highlights examples of choice options currently operating in local districts. To further exemplify the types of choice programs legislated in the other states in the nation, a summary of state actions promoting public school choice prepared by Joe Nathan for the U.S. Department of Education, Office of Planning, Budget, and Evaluation follows:

DEFINITIONS

Local Options

Local public school districts offer magnet schools or alternative programs from which families can select what they want for their children.

Open Enrollment

Limited: Certain students may attend public schools outside the district in which they live; the State pays the costs and no permission is required from the resident board of education.

Comprehensive: Students K-12 may attend public schools outside the district in which they live; the State pays the costs and no permission is required from the resident board of education.
Metropolitan: State permits one- or two-way movement between an urban district and surrounding suburban districts in order to promote desegregation/integration and higher quality education.

Postsecondary Options

Limited: Students may attend postsecondary programs with permission of the local district; State or local funds pay all or part of costs, or, as in Rhode Island, the State requires some formal action of the district.
Comprehensive: Students may attend postsecondary programs; State or local funds pay all tuition and fees; the local board may not decide which students may participate or which course they may take.
Note: Many states permit students to take postsecondary courses and receive dual credit if the students pay for them. Most of these states permit districts to pay for postsecondary courses if the districts think the students are ready to take such courses.

Program Development

The State provides funds explicitly to help school districts plan and to develop different kinds of full-day public school options.

Specialty School

A statewide or regional magnet nine-month school that draws from several districts and is funded by the State.

STATE SUMMARY

Alabama
Specialty School: The State established a Statewide High School for the Performing Arts, open to about three hundred students in 1974.
Local Options: Magnet schools are available in some districts.

Alaska
Specialty School: A State residential boarding secondary school in Sitka is available to all students.
Local Options: Several districts have alternative programs.

Arizona
Limited Open Enrollment: Students may move across district lines taking State funds with them, but districts may establish covenants prohibiting movement between districts, and districts may charge nonresident families more than the State funds provide.
Limited Postsecondary Options: Students may take courses for high school graduation credit at community colleges if they pay for them; community colleges must accept these students and can receive State funding for them.
Local Options: Several districts have magnets or alternative schools.

Arkansas
Comprehensive Open Enrollment: In 1989, the State adopted a law permitting students ages 5 through 18 to move across district lines so long as the receiving district has room and the movement does not harm desegregation efforts.
Local Options: Several districts have alternative schools.

California
Program Development: The State helps support magnet schools for desegregation and has funded twenty-five schools within schools for talented students.
Limited Open Enrollment: The State allows elementary students to attend public schools in districts where their parents live or work, so long as the movement does not have a negative impact on desegregation activities.
Local Options: Many districts have alternative or magnet schools.

Colorado
Statewide Postsecondary Options: Juniors and seniors at public high schools may attend public postsecondary institutions; State funds pay for tuition.
Limited Open Enrollment: Students who have dropped out for a semester may attend a locally designed alternative public school in another district with State reimbursement; no permission from the resident district is required.
Local Options: Some districts have magnet and alternative schools.

Connecticut
Metropolitan Open Enrollment Program Development: The State funded several cooperative interdistrict plans to promote integration between cities and suburbs using urban magnet schools. The State also has funded a magnet program in Bridgeport, which began in the fall of 1988, to promote desegregation between suburb and city; so far no suburban students are participating.
Local Options: Magnet and alternative schools are available in some districts.

Delaware
No initiatives.

District of Columbia
Program Development: The District uses funds to establish magnet and alternative schools.
Local Options: The District offers a combination of magnet and alternative programs at the elementary and secondary level.

Florida
Limited Postsecondary Options: The State pays for students who maintain a certain grade point average to take courses that are not available in their high school at community colleges.
Local Options: Magnet and alternative schools are available in many districts.

Georgia
Local Options: Some districts have magnet and alternative schools.

Hawaii
Local Options: Some specialized programs within schools and some alternative and magnet schools are available.

Idaho
Local Options: Some districts offer alternatives.

Illinois
Specialty School: The State has established a statewide math and science school.
Program Development: Some State funds are targeted to help support development of alternative or magnet schools.
Local Options: Some districts offer alternative and magnet schools.

Indiana
Local Options: Several districts have magnet schools.
Enabling legislation for a statewide magnet secondary school has passed without funding and will be considered by the 1989 legislature.

Iowa
Comprehensive Open Enrollment: In 1989, the State adopted a law permitting students ages 5 through 18 to move across district lines so long as the receiving district has room and the movement does not harm desegregation efforts.
Limited Postsecondary Options: Public students may take one or two courses not available in their high school with the State paying tuition up to a limit of $200.
Local Options: Some districts offer magnet and alternative schools.

Kansas
Limited Postsecondary Options: Seniors in high schools may take community college courses for high school credit; students must pay tuition and other charges. Both systems can collect reimbursement for these students.
Local Options: Some districts have magnet and alternative schools.

Kentucky
Local Options: Several districts have magnet and alternative schools.

Louisiana
Specialty Schools: The State has established a statewide math and science high school.
Local Options: Several districts have magnet schools.

Maine
Limited Postsecondary Options: The State has allocated funds to pay for students to take courses at postsecondary institutions if the local district approves.

Maryland
Program Development: The State helped some districts develop magnet programs.
Local Options: Several districts offer magnet and alternative schools.

Massachusetts
Metropolitan Open Enrollment: Minority students in several cities may attend school in the suburbs; the State pays the tuition.

Program Development: The State provides funds to help individual districts establish choice programs.
Local Options: Many districts offer alternative and magnet schools.

Michigan
Specialty Schools: The State has allocated $1 million to help start approximately six regional magnet secondary science-math schools.
Local Options: Several districts offer magnet and alternative schools.

Minnesota
Limited Open Enrollment: Since 1983 up to one hundred students have been allowed to attend public high schools outside their district which have State certified "Programs of Excellence" in particular academic areas.
Comprehensive Postsecondary Options: The State allows eleventh and twelfth grade students in public schools to enroll in postsecondary college, university, or vocational-technical schools. State funds allocated for their education follow them and pay all costs of tuition, books, and other fees.
Comprehensive Open Enrollment: Effective September 1989, students residing in districts enrolling more than one thousand students may transfer across district lines to attend public schools outside their home districts so long as their transfer does not have a negative effect on desegregation and the receiving district has room. Students living in all districts gain this right in September 1990. Districts may not select among students on the basis of previous academic achievement, handicapped condition, or behavior.
Local Options: Several districts have alternative and magnet schools.
Program Development: The State has authorized and provided funds for a statewide performing arts magnet school.

Mississippi
Specialty School: The State has established a statewide magnet math and science school.
Local Options: Several districts have magnet schools.

Missouri
Metropolitan Open Enrollment Program Development: The State has provided funds for the development of St. Louis magnet schools and transportation of students, and the State provides double funding of suburban and urban students whose movement between St. Louis and suburban districts promotes desegregation. The State has also paid for development of magnet schools in Kansas City.
Local Options: Some districts have alternative and magnet schools.

Montana
Local Options: Some districts have alternative schools.

Nebraska
A 1989 law allows movement for K-12 students in public schools across district lines so long as the transfer does not harm desegregation efforts and receiving districts have room. The law is being phased in beginning with the 1990-91 school year.
Local Options: Some districts have magnet and alternative schools.

Nevada
Local Options: Some districts have magnet and alternative schools.

New Hampshire
No initiatives.

New Jersey
Local Options: Some districts have magnet and alternative schools.

New Mexico
Local Options: Several districts have alternative schools.

New York
Program Development: The State provides funds to help establish urban magnet schools to promote integration.
Local Options: Many districts have magnet and alternative schools.

North Carolina
Specialty Schools: The State supports two State residential magnet schools.
Local Options: Some districts have established magnet schools.

North Dakota
No initiatives.

Ohio
Local Options: Several districts have magnet or alternative schools.
Comprehensive Open Enrollment: The State requires every school district to develop a plan for open enrollment and establishes a time schedule that by 1993 students may transfer across district lines to attend public schools so long as their transfer does not have a negative impact on desegregation and the receiving district has room.

Oklahoma
Program Development: The State provided $940,000 in 1988 to help districts establish alternative programs and schools for youngsters who are not succeeding in school.
Local Options: Some districts have magnet and alternative schools.

Oregon
Limited Postsecondary Options: A "Two-Plus-Two" program brings high schools and community colleges together to plan cooperative projects in which high school students sometimes take community college courses.
Local Options: Several districts have magnet and alternative schools.

Pennsylvania
Local Options: Several districts offer magnet and alternative schools.

Rhode Island
Program Development: Legislation in 1988 authorized the development of "Governor's Schools," and an implementing task force is being assembled. These alternative schools will test restructuring concepts and new approaches to dealing with at-risk students.
Limited Postsecondary Options: Every district must develop a concurrent enrollment policy that permits high school students to attend postsecondary institutions. The State pays the fees; districts may retain the power to decide who participates in this program.
Local Options: Several districts have alternative or magnet schools.

South Carolina
Specialty School: In 1988 the State established a residential magnet school in math and science.
Local Options: Some districts have magnet and alternative schools.

South Dakota
Local Options: Several districts offer alternative programs.

Tennessee
Local Options: Several districts have alternative or magnet schools.

Texas
Local Options: Several districts have magnet or alternative schools.

Utah
Limited Postsecondary Options: Students may take postsecondary courses with some State reimbursement and some cost to the student.
Local Options: Some districts offer alternative schools.

Vermont
Local boards of education may permit families to attend secondary public or private, nonsectarian schools approved by the State located outside the district.

Virginia
Specialty Schools: The State helped fund the development of five regional magnet schools.
Program Development: The State provided funds to individual districts to help develop magnet programs.
Local Options: Some districts offer magnet and alternative schools.

Washington
Limited Open Enrollment: The State allows students who have dropped out or are experiencing major difficulties to transfer across district lines.
Limited Postsecondary Options: The State has a small program under which high school students are permitted to take courses at the University of Washington; some dollars follow the students, and the families must pay some costs.
Local Options: Many districts have magnet and alternative schools.

West Virginia
Local Options: A few districts offer alternative schools.

Wisconsin
Program Development: The State helped to pay for the development of magnet schools in Milwaukee.
Metropolitan Open Enrollment: The State "double-funds" the movement between Milwaukee and suburban districts which promotes desegregation, supporting both sending and receiving district.
Local Options: Several districts have alternative or magnet schools.

Wyoming
Local Options: Some districts have alternative schools.

KEY CHARACTERISTICS OF SUCCESSFUL PUBLIC SCHOOL CHOICE PLANS

No one model is best for all states. However, effective choice plans offer all students expanded educational opportunities and increased achievement (Nathan, 1989). A review of public school choice programs includes eight similarities:

1. A clear statement of the goals and guidelines all schools must meet is provided.

2. Information and counseling are available to help parents select among programs.

3. "First come, first served" admissions are avoided and acceptance based on past achievement or behavior is prohibited.

4. Time, freedom, and assistance for teachers and principals at most schools within a given geographic area are offered to help create quality programs, rather than a concentration of resources on a few schools.

5. Transportation within a reasonable area is available for all students.

6. Dollars are required to follow students.

7. Racial-balance procedures that promote integration are developed and followed.

8. Oversight and modification are continued.

NATIONAL INITIATIVES

The dialogue on increased choice in public schools has been ongoing for a number of years. Recent activities have contributed to the focus on this issue. In a January 1989 White House workshop on choice in education, then President-elect Bush called the educational system of arbitrarily assigning students to a single public school a system "that can perpetuate mediocrity." Bush added that schools have little incentive to improve while students and parents are forced to attend assigned schools. Bush is a proponent of public school choice plans because they "give parents back their voice and their proper determining roles in the makeup of children's education." And they give schools a chance to distinguish themselves from one another and a chance to compete for and earn the loyalty of students.

In April 1989, at an address before the Education Writers' Association, Secretary of Education Louis Cavazos advocated choice as an important element in restructuring inferior local schools and said restructuring will not be a Federal directive -- it must begin at the local level. Cavazos warned states and local districts pursuing school choice to be sure to address equity issues, such as transportation, and to be sure to allow for more teacher and parental autonomy which is an important element of a choice program and does not cost additional dollars.

In 1986, the National Governors' Association addressed the issue of public school choice in *Time for Results: The Governors' 1991 Report on Education*. By addressing the question "Why not let parents choose the schools their children attend?" the National Governors' Association provided a comprehensive review of the issues surrounding parental choice.

The Task Force on Parental Involvement and Choice states that "Governors should take the lead in establishing a new social compact in cooperation with educators, parents, community members, and the state." To achieve this, they recommend that states:

1. Provide technical assistance to school districts and universities by encouraging instruction in effective parent-involvement techniques to be included in preservice and recertification training programs of all teachers and administrators.

2. Create the climate for greater parent involvement.

3. Provide incentives to school districts.

4. Expand opportunities for students by adopting legislation permitting families to select from among kindergarten to twelfth grade public schools in the state. High school students should be able to attend accredited public postsecondary degree-granting institutions during their junior and senior years.

Former U.S. Secretary of Education William J. Bennett made a strong plea for increased choice in his 1985 address on the three "C's"; content, charter, and choice. Secretary Bennett proclaimed:

> "The problem today is not only that some schools fail our parents' expectations, but also that those schools cannot be held accountable by those they are supposed to serve. Accountability could be improved if parents had a greater ability to choose another school--a better school. Such ability to choose would enable a parent to fulfill his basic responsibility for educating his child. Unfortunately, the majority of American parents do not have freedom to make this choice."

His rationale for increasing choice is to improve accountability, extend the ability of parents to foster family values, and to achieve a more equitable opportunity for access to alternative education. To accomplish these goals, he advocated both a voucher system and tuition tax credits or deductions. While neither of these proposals were approved or funded, they did increase the dialogue on the issue of choice.

POLICY IMPLICATIONS

A restrictive choice for schooling seems contrary to practice in most other aspects of our lives. The political, economic, and social heritage of America has been built, in part, on a strong belief in freedom of choice. In Kansas our populist roots and beliefs have led us to expect and often demand options or choices in virtually every area. This tradition has served our state well. We enjoy a high quality of life and are generally served by quality programs and practices. Public school choice is an issue that Kansas political leaders need to examine and consider carefully as Federal and State dollars diminish and competition for resources grows.

Are Kansas political leaders ready to mandate public school choice to increase educational options and to encourage the use of a free enterprise system to stimulate educational excellence? Are local school board members, administrators, and teachers ready to support a public school choice mandate? If so, then current Kansas statutes governing public school choice should be reviewed. (Appendix B documents these statutes.)

Concerned leaders also must look at the following areas:

1. Existing legislation which restricts public school choice and supportive services in the education of a child

2. The roles and responsibilities of the State Department of Education and local school districts for the following:

    * Postsecondary education for high school students
    * Second-chance programs
    * Intradistrict choice programs
    * Interdistrict choice programs

3. Characteristics that contribute to successful and unsuccessful public school choice programs

4. Procedures to ensure that choice programs do not restrict existing defacto choice programs in the state

5. Issues impacting education in the areas of finance, quality, accountability, equity, and desegregation.

Finance

A State system to increase public school choice will likely require shifts or increases in State funding. Areas that will require fiscal adjustment might include:

State aid: Should public school choice be mandatory for all districts? In the event a district gains or loses a sizable number of students, the aid to those districts will be affected. How much State aid should follow a transfer student? Should the aid be a flat fee or the amount traditionally paid to the transferring student's resident district in per-pupil State aid?

Transportation: If a choice plan includes provisions for transporting students, cost could be considerable. Will transportation be provided for all students? Should the receiving district incur the responsibility for the transportation and receive the transportation aid?

Special education: Some parents may select a different location for special education services. This could create a disproportionate case load in several districts.

Quality

When families have the option to attend school in another district, financial resources are removed from their home district. Will the decreased enrollment and educational dollars mean fewer quality teachers and fewer quality educational opportunities for the students remaining in the home district? What measures need to be taken to ensure that all students have equal access to quality education? Will technical assistance and support be provided to districts that experience student losses?

Accountability

While client satisfaction is a legitimate criterion, will increased choice result in better education for students? Because of the newness of many programs, only minimal evidence is available to show an increase in student achievement. Will rural school districts be able to participate? Most of the early evaluation results on choice programs do show improved parent and student satisfaction. However, they must be given the public school information to select options. Who will be responsible for designing and distributing intradistrict/interdistrict information?

Equity

Student assignment and transfer policies must be fair and sensitive to handicapping conditions, academic or disciplinary history, or athletic ability. What should be the criteria for accepting or rejecting applicants to choice programs? How frequently can an applicant transfer? Will there be any limitations on the districts students can choose? Some districts may find that increased enrollment will stress current physical facilities. Local patrons may object to paying for expanded facilities to accommodate resident students who do not contribute to the capital revenue required for construction.

Desegregation

How will existing desegregation plans be protected? How can a public school choice plan enhance existing desegregation guidelines and maintain or improve the racial balance?

Public school choice is a way to restructure Kansas schools to expand options for all children, improve schools, and increase learning opportunities. "Choice can be a powerful tool" that can expand educational opportunities for parents and children, said Joe Nathan, one of the designers of the Minnesota plan. He advised states exploring the choice issues to develop a model that "makes sense for them" for maximum effectiveness.

APPENDICES

APPENDIX A

KANSAS SCHOOL CHOICE PROGRAMS

More than 6,700 students are attending schools outside of their residence district. Several of the choice options available to Kansas families and students are as follows:

Alternate Schools Within a District: Twenty-one of the 304 Kansas unified school districts offer alternative schools for some students within their district. A total of twenty-nine alternative schools operate within the twenty-one districts. Typically these programs are limited to secondary students who meet the local criteria for admission.

Transferring Between Districts: Most school districts have policies that regulate the enrollment of students who live outside the district boundaries. Typically these policies establish the criteria, time frame, and tuition charge, if any. The authority to allow attendance remains with the local board of education.

Shared Programs: Individual districts may choose to cooperatively provide programs for some students. At least one district allows students enrolled in a local private high school to participate in advanced placement courses at the public high school.

Postsecondary Options: The following community college regulations authorize enrollment options for some students:

1. Graduates of an accredited high school and recipients of a general education development (GED) diploma

2. High school pupils who have completed fifteen units of credit from an accredited high school and who have a written recommendation for early college enrollment from the high school principal

3. "Gifted children," as defined in K.S.A. 72-962(g), who are enrolled in any of the grades nine through twelve, and who have been recommended for early college enrollment

4. High school pupils who have completed ten units of credit from an accredited high school and who have obtained a written recommendation from the high school principal for enrollment in an approved vocational program. The vocational program shall be a program that is offered in a community college which is also officially designated as an area vocational school by the Kansas State Board of Education.

Persons who are 18 years of age or older and who are not graduates from a State accredited high school may be admitted conditionally if the college admissions officer, after evaluating the applicant's educational credentials, determines the applicant could profit from the courses in which the applicant wishes to enroll.

APPENDIX B

KANSAS STATUTES

Prior to developing any program to increase choice in Kansas schools, a careful and thorough review of existing statutes would be advised. Most plans or programs that require a fundamental reshaping of a social institution will have far-reaching impact. By conducting a comprehensive statutory review, some unintended outcomes might be better accommodated. The following statutes are in place and partially responsible for shaping the current educational system.

K.S.A. 72-1046a. Nonresident pupils; attendance in school. (a) The board of education of any unified school district is hereby authorized to permit pupils who are not residents of the school district to enroll in and attend the schools of the district. Subject to the provisions of subsection (b), the board of education may charge such pupils tuition, or may permit such pupils to attend school without tuition charge, as the board of education may determine.

(b) Pupils who are not residents of a unified school district and are attending the schools of the school district in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233 shall not be charged tuition. The costs of providing for the attendance of such pupils in school shall be paid by the school district of residence of the pupils in accordance with the provisions of the agreement.

K.S.A. 1987 Supp. 72-4418. Enrollment and admission of students. (b) Any person may apply to the board of education of the school district in which the person is enrolled for admittance to a vocational education course or program conducted in another school district. The application shall be approved by the board of education subject to the following conditions:

(1) The person is approved for admittance by the board administering the vocational education course or program.

(2) The course or program applied for is not offered in the vocational education department of the school district in which the student is enrolled.

(3) The person applying is capable of benefiting from the instruction.

K.S.A. 72-6757. (b) The board of education of any school district may make and enter into contracts with the board of education of any receiving school district located in this state for the purpose of providing for the attendance of pupils at school in the receiving school district.

(c) The board of education of any school district may make and enter into contracts with the governing authority of any accredited school district located in another state for the purpose of providing for the attendance of pupils from this state at school in such other state or for the attendance of pupils from such other state at school in this state.

(d) Pupils attending school in a receiving school district in accordance with a contract authorized by this section and made and entered into by such

receiving school district with a sending school district located in their state shall be counted as regularly enrolled in and attending school in the sending school district for the purpose of computations under the school district equalization.

K.S.A. 72-8212. Thirty units of instruction requirement, alternative provision; general powers of boards; attendance subdistricts; disposition of unneeded property; acquisition of property. (c) The board of education may divide the district into subdistricts for purposes of attendance by pupils.

K.S.A. 72-8233. Interdistrict agreements for provision of educational programs authorized; conditions. (a) In accordance with the provisions of this act, the boards of education of any two or more unified school districts may make and enter into agreements providing for the attendance of pupils residing in one school district at school in any of the grades kindergarten through 12 maintained by any such other school district. The boards of education may also provide by agreement for the combination of enrollments for one or more grades, courses, or units of instruction.

(b) Prior to entering into any agreement under authority of this section, the board of education shall adopt a resolution declaring that it has made a determination that such an agreement should be made and that the making and entering into of such an agreement would be in the best interests of the educational system of the school district.

K.S.A. 72-8309. Transportation of nonresident pupils and students; when authorized; conditions; limitations. (a) The board of education of a school district shall not furnish or provide transportation for pupils or students who reside in another school district except in accordance with the written consent of the board of education of the school district in which such pupil or student resides or in accordance with the provisions of an agreement entered into under authority of K.S.A. 72-8233 and amendments thereto.

(b) A school district may transport a nonresident pupil or students if such pupil or student boards the school bus within the boundaries or on the boundary of the transporting school district. To the extent that the provisions of this subsection conflict with the provisions of an agreement entered into under authority of K.S.A. 72-8233 and amendments thereto, for the transportation of nonresident pupils or students to and from school within the transporting school district, the provisions of the agreement shall control.

(c) No pupil or student who is furnished or provided transportation by a school district which is not the school district in which the pupil or student resides shall be counted in the computation of the school district's state transportation aid under article 70 of chapter 72 of Kansas Statutes Annotated.

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